

Senate File 2255 - Introduced

SENATE FILE 2255
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SF 376)
(SUCCESSOR TO SSB 1140)

A BILL FOR

1 An Act designating registered architects and licensed
2 professional engineers employees of the state for specified
3 purposes under the Iowa tort claims Act.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 669.2, subsection 4, Code 2014, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *c.* "*Employee of the state*" also includes an
4 architect registered pursuant to chapter 544A or a professional
5 engineer licensed pursuant to chapter 542B who voluntarily and
6 without compensation provides initial structural or building
7 systems inspection services for the purposes of determining
8 human occupancy at the scene of a disaster as defined in
9 section 29C.2, subsection 4. To be considered an employee of
10 the state, the architect or engineer shall be acting at the
11 request and under the direction of the commissioner of public
12 safety and in coordination with the local emergency management
13 commission. For purposes of this paragraph, "*compensation*" does
14 not include reimbursement for expenses.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill designates registered architects and licensed
19 professional engineers as employees of the state for specified
20 disaster-related activities under the Iowa tort claims Act
21 contained in Code chapter 669.

22 The bill provides that registered architects and licensed
23 professional engineers shall be considered employees of the
24 state when voluntarily and without compensation they provide
25 initial structural or building systems inspection services for
26 the purposes of determining human occupancy at the scene of a
27 disaster. The bill provides that to be considered an employee
28 of the state, the architect or engineer shall be acting at the
29 request and under the direction of the commissioner of public
30 safety and in coordination with the local emergency management
31 commission. The bill provides that "*compensation*" does not
32 include reimbursement for expenses.

33 The Code chapter provides that upon certification by the
34 attorney general that a defendant in a suit was an employee of
35 the state acting within the scope of the employee's office or

1 employment at the time of the incident upon which the claim is
2 based, the suit commenced upon the claim shall be deemed to be
3 an action against the state and if the state is not already a
4 defendant, the state shall be substituted as the defendant in
5 place of the employee.